

1 Andra Barmash Greene (CSB# 123931)  
agreene@irell.com

2 A. Matthew Ashley (CSB# 198235)  
mashley@irell.com

3 **IRELL & MANELLA LLP**

4 840 Newport Center Drive, Suite 400  
Newport Beach, California 92660

5 Tel: (949) 760-0991

6 Fax: (949) 760-5200

7 *Attorneys for Defendants, Uber Technologies Inc., et al.*

8 *(additional counsel on signature page)*

9  
10 **UNITED STATES DISTRICT COURT**  
11 **NORTHERN DISTRICT OF CALIFORNIA**

12 MATTHEW PHILLIBEN, JULIAN MENA,  
13 TODD SCHREIBER, NATE COOLIDGE,  
14 ERNESTO MEJIA, and BYRON MCKNIGHT,  
individually and on behalf of all others similarly  
situated,

15 Plaintiffs,

16 vs.

17 UBER TECHNOLOGIES, INC., a Delaware  
18 Corporation, and RASIER, LLC, a Delaware  
Limited Liability Company,

19 Defendants.  
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Case No. 3:14-cv-05615-JST

HON. JON S. TIGAR

**JOINT STIPULATION UPDATING THE  
COURT ON THE PARTIES' SETTLEMENT  
IN PRINCIPLE AND [PROPOSED]  
ORDER VACATING THE CASE  
MANAGEMENT CONFERENCE  
SCHEDULED FOR FEBRUARY 22, 2017**

**TO THE HONORABLE COURT AND THE CLERK OF THE COURT:**

Pursuant to Civil Local Rule 6-2, Plaintiffs Matthew Philliben, Julian Mena, Todd Schreiber, Nate Coolidge, Ernesto Mejia, and Byron McKnight (collectively, “Plaintiffs”) and Defendants Uber Technologies, Inc. and Rasier, LLC (collectively “Defendants”) (collectively with Plaintiffs, the “Parties”) provide this update to inform the Court that they have reached a settlement in principle in this case. The Parties are working on a Stipulation of Settlement with the goal of filing it along with a motion for preliminary approval in the next sixty days. As a result, the Parties respectfully request this Court to vacate the Case Management Conference currently scheduled for February 22, 2017.

By and through their respective counsel of record, the Parties hereby stipulate and request that the Court enter an Order as follows:

WHEREAS, Plaintiffs commenced this action on January 6, 2015 [Dkt. 1];

WHEREAS, on February 11, 2016, Plaintiffs filed a Motion for Preliminary Approval of Class Action Settlement [Dkt. 75-4];

WHEREAS, on August 30, 2016, the Court issued its Order Denying Motion For Preliminary Approval Of Class Action Settlement (herein the “Denial Order”) [Dkt. 98];

WHEREAS, since the date of the Denial Order, the Parties have engaged in multiple mediation and settlement sessions;

WHEREAS, the Parties have reached a settlement in principle in this matter and are drafting a Stipulation of Settlement, with the goal of filing said Stipulation along with a motion for preliminary approval within approximately next sixty days;

WHEREAS, a Case Management Conference is currently scheduled for February 22, 2017 [Dkt. 108];

WHEREAS, no scheduling order has been entered and no trial date has been set for this case;

**NOW THEREFORE**, in consideration of the foregoing, the Parties, by and through their undersigned counsel, hereby stipulate, agree and request that the Court enter an Order as follows:

1. Vacating the currently scheduled Case Management Conference; or
2. If the Court intends to keep the currently scheduled Case Management Conference date,

1 permitting this Stipulation to constitute the Parties' Joint Case Management Conference Statement; and

2 3. That discovery remains stayed.

3 **IT IS SO STIPULATED.**

4 Dated: February 17, 2017

**AHDOOT & WOLFSON, PC**

5 By: /s/ Robert Ahdoot

6 Robert Ahdoot  
7 *rahdoot@ahdootwolfson.com*  
8 Tina Wolfson  
9 *twolfson@ahdootwolfson.com*  
10 1016 Palm Avenue  
11 West Hollywood, California 90069  
12 Phn: 310-474-9111; Fax: 310-474-8585

*Counsel for Plaintiffs Julian Mena, Todd Schreiber, Nate Coolidge, and Ernesto Mejia*

13 Dated: February 17, 2017

**ARIAS, SANGUINETTI, STAHL & TORRIJOS, LLP**

14 **LIDDLE & DUBIN, P.C.**

15 By: /s/ Mike Arias

16 Mike Arias  
17 *mike@asstlawyers.com*  
18 Alfredo Torrijos  
19 *alfredo@asstlawyers.com*  
20 6701 Center Drive West, Suite 1400  
21 Los Angeles, California 90045-7504  
22 Tel: 310-844-9696; Fax: 310-861-0168

*Counsel for Plaintiffs Matthew Philliben and Byron McKnight*

23 Dated: February 17, 2017

**IRELL & MANELLA LLP**

24 By: /s/ A. Matthew Ashley

25 A. Matthew Ashley

26 *Counsel for Defendants Uber Technologies, Inc. and Rasier,*  
27 *LLC*

**[PROPOSED] ORDER**

Pursuant to the Parties' February 17, 2017 Stipulation, the Court:

(1) Orders that the Case Management Conference presently set for February 22, 2017 at 2:00 p.m. is vacated; and

(2) Orders that discovery shall remain stayed.

**PURSUANT TO STIPULATION, IT IS SO ORDERED:**

DATED: \_\_\_\_\_

\_\_\_\_\_  
Honorable Jon S. Tigar  
United States District Court Judge

**ECF ATTESTATION**

I, Michael Harbour, am the ECF user whose ID and password are being used to file this JOINT STIPULATION UPDATING THE COURT ON THE PARTIES' SETTLEMENT IN PRINCIPLE AND [PROPOSED] ORDER VACATING THE CASE MANAGEMENT CONFERENCE SCHEDULED FOR FEBRUARY 22, 2017. I hereby attest that I received authorization to insert the signatures indicated by a conformed signature (/s/) within this e-filed document.

By: /s/ Michael Harbour  
Michael Harbour